



Department of Justice

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PRESS RELEASE

Albany, New York —United States Attorney Richard S. Hartunian and John F. Pikus, Special Agent-in-Charge, Federal Bureau of Investigation, Albany Division, announced that **JAMES NASH**, age 44, of Troy, New York, pled guilty today in United States District Court in Albany before Senior District Judge Thomas J. McAvoy to Count 2 of an Indictment charging him with the possession of child pornography.

In connection with his plea, **NASH** admitted the following in a written plea agreement and during his plea proceedings:

Between about October 8, 2008 and February 3, 2009, **NASH**, while in his Troy, New York residence, used his Troy City School District Dell laptop computer to access the Internet. While on the internet **NASH** used various search terms to search for child pornography. **NASH** visited child pornography websites wherein he accessed electronic still images and videos depicting minors engaged in sexually explicit conduct. **NASH** also used the Bit Torrent file sharing program "Azureus" to search for child pornography and to download electronic still images and videos depicting minors engaged in sexually explicit conduct. Sometimes **NASH** would save the still images or videos for viewing on a later date.

On February 3, 2009 **NASH** turned over custody of his school-issued laptop computer to members of the School District's Information Technology (IT) department. Members of the IT department then authorized the Federal Bureau of Investigation to conduct a forensic examination of **NASH's** school-issued computer. Four still images which depict minors engaged in sexually explicit conduct, as those terms and phrases are defined in Title 18, United States Code, Section 2256(2), were recovered from the Dell laptop computer. Said images depict individuals under the age of 18 engaged in, among other things, oral sex and the lascivious exhibition of the genitals and pubic area. All of the images recovered depict actual, as opposed to computer generated, images of minors engaged in such conduct.

NASH knowingly and willfully possessed the aforesaid images, and knowingly attempted to possess computer images depicting minors engaged in sexually explicit conduct. He also possessed these images knowing that they depict minors engaged in sexually explicit conduct. All of these images had either been transported in interstate or foreign commerce or were produced using materials that had been mailed, shipped or transported in interstate or foreign commerce. **NASH** obtained such images from, among other places, individuals and websites located outside the State of New York. Moreover, such images, and the actual computer used to obtain, download and save these depictions, were transported in interstate and foreign commerce and were produced using materials that had been mailed, or shipped or transported in interstate and foreign commerce.

On or about May 8, 2009 **NASH** was interviewed by law enforcement officials. During this interview, he stated, among other things, that:

- i. He had been interested in child pornography for many years;
- ii. He used the aforesaid computer to search for and access child pornography via websites on the Internet and through file sharing programs;
- iii. His interests were in children between the ages of 14 and 16; and
- iv. That he had been accessing child pornography from the internet during the time period alleged in the indictment.

Sentencing was scheduled by Judge McAvoy for January 10, 2011, at 2:30 p.m. in U.S.

District Court in Albany, New York. **NASH** faces a maximum penalty of 10 years of imprisonment. **NASH** was released pending his sentencing.

This case was investigated by the FBI's Capital Region Cyber Predator Task Force.

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